

Adopted Rule Amendments to:

§367.1. Continuing Education.

§367.3. Continuing Education Audit.

Please note that these are ADOPTED amendments, but they will not be in effect until 10/1/2015, at which time, the adopted rule sections will replace the rule sections of the same name and number in the current rules. Please [click this link](#) to view the current rules.

Introduction:

The amendment to §367.1 clarifies requirements for continuing education and adds the provision that each continuing education activity may be counted only one time in two renewal cycles or a total of four years.

For example, if a licensee completed a course during the renewal cycle of 12/1/2015-11/30/17, the licensee could retake and complete the course during the renewal period of 12/1/2019-11/30/21.

The adopted amendment to §367.3 clarifies requirements for the audit and for continuing education documentation. In addition, the amendment adds that the name of the authorized signer must be included on the continuing education documentation and that when continuing education units (CEUs), professional development units (PDUs), or other units or credits are listed on the documentation, such must be accompanied by documentation from the continuing education provider noting the equivalence of the units or credits in terms of contact hours.

Please note that for an educational activity approved or offered by AOTA, if AOTA CEUs are listed on a certificate of completion, the licensee need not retain further documentation noting the equivalence of the AOTA CEUs in terms of contact hours. However, the licensee needs to know what such represents in terms of contact hours with regard to reporting the CE completed when renewing, for example, and should contact the provider or AOTA to determine such.

§367.1. Continuing Education.

(a) The Act mandates licensee participation in a continuing education program for license renewal. All continuing education must be directly relevant to the profession of occupational therapy and meet the definition of Type 1 or Type 2 as outlined in this section. The licensee is solely responsible for keeping accurate documentation of all continuing education requirements and for selecting continuing education as per the requirements in this chapter.

(b) All licensees must complete a minimum of 30 hours of continuing education every two years during the period of time the license is current in order to renew the license and must provide this information as requested.

(c) Those renewing a license more than 90 days late must submit proof of continuing education for the renewal.

(d) Types of Continuing Education.

(1) A minimum of 15 hours of continuing education must be in skills specific to occupational therapy practice with clients hereafter referred to as Type 2.

(A) Type 2 courses teach occupational therapy evaluation, assessment, intervention or prevention and wellness with clients.

(B) All continuing education hours may be in Type 2, but no less than 15 hours of Type 2 is acceptable.

(2) General information hereafter referred to as Type 1 continuing education is relevant to the profession of occupational therapy. Examples include but are not limited to: supervision, education, documentation, pharmacology, quality improvement, administration, reimbursement and other occupational therapy related subjects.

(e) Each continuing education activity may be counted only one time in two renewal cycles or a total of four years.

(f) Effective January 1, 2003, Type 1 and Type 2 educational activities approved or offered by the American Occupational Therapy Association or the Texas Occupational Therapy Association are pre-approved by the Board. The Board will review its approval process and continuation thereof for educational activities by January 2005 and at least once each five-year period thereafter.

(g) Licensees are responsible for choosing Type 1 or Type 2 CE according to the definitions in this section.

§367.3. Continuing Education Audit.

(a) The Board shall select for audit a random sample of licensees. The audit will cover a period for which the licensee has already completed the continuing education requirement.

(b) Licensees randomly selected for the audit must provide to TBOTE appropriate documentation within 30 days of notification. Audit documentation submitted must be identified by the licensee to specify whether it is Type 1 or Type 2.

(c) The licensee is solely responsible for keeping accurate documentation of all continuing education requirements. Continuing education documentation must be maintained for two years from the date of the last renewal for auditing purposes, or a total of four years.

(d) Continuing education documentation includes, but is not limited to: an official transcript, AOTA self-study completion certificates, copies of official sign-in or attendance sheets, course certificates of attendance, and certificates of completion.

(e) Documentation must identify the licensee by name, and must include the date and title of the course, the name and signature of the authorized signer, and the number of contact hours awarded for the course. When continuing education units (CEUs), professional development units (PDUs), or other units or credits are listed on the documentation, such must be accompanied by documentation from the continuing education provider noting the equivalence of the units or credits in terms of contact hours.

(f) Knowingly providing false information or failure to respond during the audit process or the renewal process is grounds for disciplinary action.